



STATE OF WISCONSIN Assembly Journal

Ninety-Seventh Regular Session

11:05 A.M.

TUESDAY, February 15, 2005

The Assembly met in the Assembly Chamber located in the State Capitol.

Speaker Gard in the chair.

The prayer was offered by Chaplain Tom Dudenhoefer of VFW Post 6003 in Oxford.

Representative Hines led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present – Representatives Ainsworth, Albers, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Krawczyk, Kreibich, Kreuser, Krusick, Lamb, F. Lasee, Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Molepske, Montgomery, Moulton, Mursau, Musser, Nass, Nelson, Nerison, Nischke, Ott, Owens, Parisi, Petrowski, Pettis, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 96.

Absent with leave – Representatives Fields, Pocan and Sinicki – 3.

Vacancies – None.

LEAVES OF ABSENCE

Representative Turner asked unanimous consent for a leave of absence for today's session for Representatives Fields, Pocan and Sinicki. Granted.

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 7** offered by Representative Albers.

Assembly amendment 1 to **Assembly Bill 99** offered by Representative Friske.

Assembly substitute amendment 1 to **Senate Joint Resolution 2** offered by Representatives Kessler, Grigsby, A. Williams, Toles, Schneider, Colon and Boyle.

Assembly amendment 1 to **Senate Joint Resolution 2** offered by Representative Kessler.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 04–108

Relating to technology commercialization programs and affecting small businesses.

Submitted by Department of Commerce.

Report received from Agency, February 3, 2005.

To committee on **Economic Development**.

Referred on February 14, 2005.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 14

Relating to: the military service of Pvt. 1st Class James Anagnostopoulos.

By Representative Hines.

To committee on **Rules**.

Assembly Bill 101

Relating to: product liability of manufacturers, distributors, and sellers.

By Representatives Huebsch, Nischke, Gundrum, Van Roy, Kestell, Hahn, Nerison, Gielow, Vos, Nass, Kreibich, Vrakas, Pettis, Ott, Petrowski, Gunderson, Hines, McCormick, F. Lasee and Musser; cosponsored by Senators Kanavas, Grothman, Stepp, Kapanke, Roessler and Reynolds.

To committee on **Judiciary**.

Assembly Bill 102

Relating to: decreasing an appropriation of general purpose revenues for the Badger Care health care program; increasing an appropriation of general purpose revenues for

prescription drug assistance; increasing an appropriation of general purpose revenues for Medical Assistance; transferring moneys from the general fund to the Medical Assistance trust fund; required general fund statutory balance; and making an appropriation.

By Representative Kaufert; cosponsored by Senator S. Fitzgerald.

To joint committee on **Finance**.

ENROLLED BILLS

The following Assembly proposals, which have been approved by both the Assembly and Senate, have been enrolled by the Legislative Reference Bureau:

Assembly Bill 3

PATRICK E. FULLER
Assembly Chief Clerk

COMMUNICATIONS

February 15, 2005

Assembly Chief Clerk
Patrick Fuller
17 West Main Street, Room 208
Madison, WI 53708

Dear Chief Clerk Fuller:

Please add my name as a cosponsor to **Assembly Bill 22**, relating to carrying forward a school district's unused revenue limit authority to the succeeding school year. Thank you.

Sincerely,
SENATOR BOB JAUCH
25th Senate District

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Public Instruction
Madison

February 10, 2005

To the Honorable, the Legislature:

The Department of Public Instruction is submitting the 2004 annual report on the status of bilingual-bicultural education programs as required under s. 115.96, Wis. Stats. The report provides data from the state-aided bilingual-bicultural/ESL education programs for the 2004 fiscal year (July 1, 2003, through June 30, 2004).

This annual report presents details on the state's administration and funding of bilingual education in Wisconsin, including the number of pupils from minority languages served, the locations of the state-aided programs

during the 2002 and 2004 fiscal years, and staff-related data. In addition, the report comments on factors contributing to program expansion and the continuously lower annual reimbursement rates for school districts.

If you have any questions, please contact Joseph F. Donovan, DPI Communications Director at 608-266-3559 or joseph.donovan@dpi.state.wi.us.

Sincerely,
ELIZABETH BURMASTER
State Superintendent

Referred to committee on **Education**.

LEAVES OF ABSENCE

Representative Turner asked unanimous consent for a leave of absence for part of today's session for Representatives Kreuser, Wasserman and A. Williams. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 14** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Assembly Joint Resolution 14

Relating to: the military service of Pvt. 1st Class James Anagnostopoulos.

The question was: Shall **Assembly Joint Resolution 14** be adopted?

Motion carried.

SPECIAL GUEST

Representative Hines introduced Private First Class James Anagnostopoulos of VFW Post 6003 in Oxford, who addressed the members from the rostrum.

Representative Huebsch asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Joint Resolution 14**. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 14** be immediately messaged to the Senate. Granted.

SPECIAL GUEST

Representative Gundrum introduced members of the 432d Civil Affairs Battalion who were deployed in Iraq; Major Mark Chamberlain, the Public Health Team Chief and Captain David Albino, who addressed the members from the rostrum and presented Speaker Gard and members of the State Assembly with a Wisconsin Flag that was flown over Iraq.

Representative Vrakas asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

11:38 A.M.

RECESS

3:10 P.M.

The Assembly reconvened.

Speaker Gard in the chair.

Representative Kreuser asked unanimous consent that his leave of absence be lifted. Granted.

Representative Wasserman asked unanimous consent that his leave of absence be lifted. Granted.

Representative A. Williams asked unanimous consent that her leave of absence be lifted. Granted.

Speaker Pro Tempore Freese in the chair.

CALENDAR OF TUESDAY, FEBRUARY 15

Assembly Resolution 5

Relating to: Black History Month and honoring Company F of the 29th USCT.

The question was: Shall **Assembly Resolution 5** be adopted?

Motion carried.

Representative Turner asked unanimous consent that all members of the Assembly be made coauthors of **Assembly Resolution 5**. Granted.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 4** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Senate Joint Resolution 4

Relating to: recognizing February 6 as Ronald Reagan Day in the state of Wisconsin.

The question was: Shall **Senate Joint Resolution 4** be concurred in?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 4** be immediately messaged to the Senate. Granted.

Assembly Joint Resolution 11

Relating to: celebrating March 1, 2005, as St. David's Day.

The question was: Shall **Assembly Joint Resolution 11** be adopted?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 11** be immediately messaged to the Senate. Granted.

Assembly Bill 4

Relating to: creating a nonrefundable individual income tax credit for certain amounts relating to health savings accounts that may be deducted from, or are exempt from, federal income taxes.

The question was: **Assembly Bill 4** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gronemus, Gunderson, Gundrum, Hahn, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vrakas, Vukmir, Ward, Wieckert, M. Williams, Wood, Ziegelbauer and Speaker Gard – 63.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Grigsby, Hebl, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young and Zepnick – 33.

Absent or not voting – Representatives Fields, Pocan and Sinicki – 3.

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 4** be immediately messaged to the Senate.

Representative Kreuser objected.

Representative Huebsch moved that the rules be suspended and that **Assembly Bill 4** be immediately messaged to the Senate.

The question was: Shall the rules be suspended and **Assembly Bill 4** be immediately messaged to the Senate?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gronemus, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison,

Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vrakas, Vukmir, Ward, Wieckert, M. Williams, Wood, Ziegelbauer and Speaker Gard – 62.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Grigsby, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young and Zepnick – 34.

Absent or not voting – Representatives Fields, Pocan and Sinicki – 3.

Motion failed.

Assembly Resolution 6

Relating to: the assembly rules.

Representative Huebsch asked unanimous consent that **Assembly Resolution 6** be placed following **Assembly Joint Resolution 3** on today's calendar.

Representative Kreuser objected.

Representative Huebsch moved that **Assembly Resolution 6** be placed following **Assembly Joint Resolution 3** on today's calendar.

The question was: Shall **Assembly Resolution 6** be placed following **Assembly Joint Resolution 3** on today's calendar?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vrakas, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 60.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Young, Zepnick and Ziegelbauer – 36.

Absent or not voting – Representatives Fields, Pocan and Sinicki – 3.

Motion carried.

Assembly Bill 5

Relating to: health benefit purchasing cooperatives.

The question was: **Assembly Bill 5** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Benedict, Berceau, Bies, Black, Boyle, Colon, Cullen, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Grigsby, Gronemus, Gunderson, Gundrum, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Krawczyk, Kreibich, Kreuser, Krusick, Lamb, F. Lasee, Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Molepske, Montgomery, Moulton, Mursau, Musser, Nass, Nelson, Nerison, Nischke, Ott, Owens, Parisi, Petrowski, Pettis, Pope–Roberts, Pridemore, Rhoades, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Staskunas, Steinbrink, Stone, Strachota, Suder, Toles, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vos, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Wieckert, A. Williams, M. Williams, Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 96.

Noes – None.

Absent or not voting – Representatives Fields, Pocan and Sinicki – 3.

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Bill 5** be immediately messaged to the Senate.

Representative Kreuser objected.

Representative Huebsch moved that the rules be suspended and that **Assembly Bill 5** be immediately messaged to the Senate.

The question was: Shall the rules be suspended and **Assembly Bill 5** be immediately messaged to the Senate?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gronemus, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kestell, Kleefisch, Krawczyk, Kreibich, Lamb, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Molepske, Montgomery, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Parisi, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vrakas, Vukmir, Ward, Wasserman, Wieckert, M. Williams, Wood and Speaker Gard – 64.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Grigsby, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Nelson, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, A. Williams, Young, Zepnick and Ziegelbauer – 32.

Absent or not voting – Representatives Fields, Pocan and Sinicki – 3.

Motion carried.

Representative Turner asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

3:54 P.M.

RECESS

6:47 P.M.

The Assembly reconvened.

Speaker Gard in the chair.

Assembly Joint Resolution 3

Relating to: 4-year terms of office for certain county officers (2nd consideration).

Assembly substitute amendment 1 to **Assembly Joint Resolution 3** offered by Representatives Kessler, Grigsby, A. Williams, Toles, Schneider, Colon and Boyle.

Representative Jensen asked unanimous consent to be made a coauthor of **Assembly Joint Resolution 3**. Granted.

LEAVES OF ABSENCE

Representative Vrakas asked unanimous consent for a leave of absence for part of today's session for Representatives Montgomery and Kestell. Granted.

Representative Turner asked unanimous consent for a leave of absence for part of today's session for Representative Young. Granted.

Representative Suder moved that Assembly substitute amendment 1 to **Assembly Joint Resolution 3** be laid on the table.

The question was: Shall Assembly substitute amendment 1 to **Assembly Joint Resolution 3** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Berceau, Bies, Black, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kleefisch, Krawczyk, Kreibich, Krusick, Lamb, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Molepske, Moulton, Mursau, Musser, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pope–Roberts, Pridemore, Rhoades, Seidel, Sheridan, Shilling, Stone, Strachota, Suder, Towns, Townsend, Travis, Underheim, Van Akkeren, Van Roy, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Wieckert, M. Williams, Wood and Speaker Gard – 68.

Noes – Representatives Benedict, Boyle, Colon, Cullen, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreuser, Lehman, Nass, Nelson, Parisi, Richards, Schneider, Sherman, Staskunas, Steinbrink, Toles, Turner, Vos, Zepnick and Ziegelbauer – 24.

Absent or not voting – Representatives Fields, Kestell, Montgomery, Pocan, Sinicki, A. Williams and Young – 7.

Motion carried.

Assembly amendment 1 to **Assembly Joint Resolution 3** offered by Representative Kessler.

Representative Kessler asked unanimous consent that Assembly amendment 1 to **Assembly Joint Resolution 3** be withdrawn and returned to the author. Granted.

Assembly amendment 2 to **Assembly Joint Resolution 3** offered by Representatives M. Williams and Kessler.

The question was: Shall Assembly amendment 2 to **Assembly Joint Resolution 3** be adopted?

Motion carried.

The question was: Shall **Assembly Joint Resolution 3** be ordered engrossed and read a third time?

Motion carried.

Representative Huebsch asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 3** be given a third reading.

Representative Richards objected.

Representative Huebsch moved that the rules be suspended and that **Assembly Joint Resolution 3** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Joint Resolution 3** be given a third reading?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kleefisch, Krawczyk, Kreibich, Lamb, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vrakas, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 58.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pope–Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Zepnick and Ziegelbauer – 35.

Absent or not voting – Representatives Fields, Kestell, Montgomery, Pocan, Sinicki and Young – 6.

Motion failed.

Assembly Resolution 6

Relating to: the assembly rules.

Assembly amendment 1 to **Assembly Resolution 6** offered by Representative Kreuser.

Assembly amendment 2 to **Assembly Resolution 6** offered by Representative Kreuser.

Assembly amendment 3 to **Assembly Resolution 6** offered by Representative Kreuser.

Assembly amendment 4 to **Assembly Resolution 6** offered by Representative Kreuser.

Assembly amendment 5 to **Assembly Resolution 6** offered by Representative Staskunas.

Representative Huebsch asked unanimous consent that Assembly amendment 1 to **Assembly Resolution 6** be placed after Assembly amendment 5 to **Assembly Resolution 6**. Granted.

Representative Huebsch asked unanimous consent that Assembly amendment 2 to **Assembly Resolution 6** be placed after Assembly amendment 1 to **Assembly Resolution 6**. Granted.

Representative Huebsch asked unanimous consent that Assembly amendment 3 to **Assembly Resolution 6** be placed after Assembly amendment 2 to **Assembly Resolution 6**. Granted.

Representative Huebsch asked unanimous consent that Assembly amendment 4 to **Assembly Resolution 6** be placed after Assembly amendment 3 to **Assembly Resolution 6**. Granted.

Assembly amendment 6 to **Assembly Resolution 6** offered by Representatives Richards and Kreuser.

Assembly amendment 7 to **Assembly Resolution 6** offered by Representative Richards.

Assembly amendment 8 to **Assembly Resolution 6** offered by Representative Richards.

Assembly amendment 9 to **Assembly Resolution 6** offered by Representatives Richards and Kreuser.

Assembly amendment 10 to **Assembly Resolution 6** offered by Representatives Richards and Kreuser.

Assembly amendment 11 to **Assembly Resolution 6** offered by Representative Schneider.

Assembly amendment 12 to **Assembly Resolution 6** offered by Representative Schneider.

Assembly amendment 13 to **Assembly Resolution 6** offered by Representative Schneider.

Assembly amendment 14 to **Assembly Resolution 6** offered by Representative Schneider.

Assembly amendment 15 to **Assembly Resolution 6** offered by Representative Schneider.

Assembly amendment 16 to **Assembly Resolution 6** offered by Representatives Vruwink, Schneider, Pope–Roberts, Van Akkeren, Toles, Seidel and Sheridan.

Assembly amendment 17 to **Assembly Resolution 6** offered by Representatives Vruwink, Schneider, Pope–Roberts, Gronemus, Van Akkeren, Seidel and Sheridan.

Assembly amendment 18 to **Assembly Resolution 6** offered by Representative Black.

Representative Schneider asked unanimous consent that the Assembly stand informal. Granted.

The Assembly stood informal.

7:05 P.M.

INFORMAL

7:55 P.M.

The Assembly reconvened.

Speaker Gard in the chair.

Representative Gard asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

7:56 P.M.

RECESS

8:55 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

Representative Huebsch asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

9:00 P.M.

RECESS

9:05 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

Assembly Joint Resolution 9

Relating to: recognizing February 6 as Ronald Reagan Day in the state of Wisconsin.

Representative Huebsch asked unanimous consent that **Assembly Joint Resolution 9** be laid on the table. Granted.

The committee on **Rules** introduced a privileged resolution.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 7

Relating to: establishing special orders of business for Thursday, February 17, 2005.

By committee on Rules.

The question was: Shall **Assembly Resolution 7** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Ballweg, Bies, Davis, J. Fitzgerald, Freese, Friske, Gielow, Gottlieb, Gunderson, Gundrum, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Kaufert, Kerkman, Kleefisch, Krawczyk, Kreibich, Lamb, F. Lasee, LeMahieu, Loeffelholz, Lothian, McCormick, Meyer, Moulton, Mursau, Musser, Nass, Nerison, Nischke, Ott, Owens, Petrowski, Pettis, Pridemore, Rhoades, Stone, Strachota, Suder, Towns, Townsend, Underheim, Van Roy, Vos, Vrakas, Vukmir, Ward, Wieckert, M. Williams, Wood and Speaker Gard – 58.

Noes – Representatives Benedict, Berceau, Black, Boyle, Colon, Cullen, Grigsby, Gronemus, Hebl, Hubler, Kessler, Kreuser, Krusick, Lehman, Molepske, Nelson, Parisi, Pope-Roberts, Richards, Schneider, Seidel, Sheridan, Sherman, Shilling, Staskunas, Steinbrink, Toles, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, Zepnick and Ziegelbauer – 35.

Absent or not voting – Representatives Fields, Kestell, Montgomery, Pocan, Sinicki and Young – 6.

Motion carried.

Assembly Bill 58 was made a special order of business at 9:01 A.M. on Thursday, February 17, pursuant to **Assembly Resolution 7**.

Assembly Joint Resolution 3 was made a special order of business at 9:02 A.M. on Thursday February 17, pursuant to **Assembly Resolution 7**.

Senate Joint Resolution 2 was made a special order of business at 9:03 A.M. on Thursday, February 17, pursuant to **Assembly Resolution 7**.

Representative Jensen asked unanimous consent to be added as a cosponsor of **Senate Joint Resolution 2**. Granted.

Representative Gottlieb asked unanimous consent to be made a coauthor of **Assembly Bill 63**. Granted.

ANNOUNCEMENTS

Representative M. Williams asked unanimous consent that the Assembly adjourn in memory of 9 year old Ethan Erl, who passed away on February 12 as a result of a farm accident. Granted.

Representative Strachota asked unanimous consent that the Assembly adjourn in memory of Lance Corporal Travis Wichlacz of the 2nd Battalion, 24th Marine Regiment who died February 5 while on patrol in Babil Province, Iraq. Granted.

Representative Molepske asked unanimous consent that the Assembly adjourn in memory of Susan Salinger, who passed away in a tragic car accident in Scottsdale, Arizona on February 7. Granted.

Representative Vos asked unanimous consent that the Assembly adjourn in memory of former Naval Lieutenant James Herringer, who passed away on February 12. He will be missed by his wife of 35 years, Joyce, and his sons, Jonathan and Michael. Granted.

Representative Freese asked unanimous consent that the Assembly adjourn in honor of Jonah Jeffrey Richard, son of Rob and Carrie Richard, who was born on February 6, 2005, at Meriter Hospital in Madison, and shares the same birthday as President Ronald Reagan. Granted.

Representative Schneider asked unanimous consent that the Assembly adjourn in honor of his daughter, Molly Anne Schneider, on the occasion of her engagement to Erik Larson from Menomonie on Valentine's Day. Granted.

Representative Schneider asked unanimous consent that the Assembly adjourn in honor of his staff person, Cynthia Kieper, on the occasion of her graduation from the University of Wisconsin Law School. Granted.

Representative Schneider asked unanimous consent that the Assembly adjourn in honor of his intern Michael Schoenfield. Granted.

Representative Schneider asked unanimous consent that the Assembly adjourn in honor of his intern Jim Norton, who is a Sergeant in the Minnesota National Guard. Granted.

Representative Toles asked unanimous consent that the Assembly adjourn in honor of Mr. Leroy J. Simmons, who was the second African American to serve in the Wisconsin Assembly from 1945-1952. Mr. Simmons was also the first African American to preside over the Assembly on May 12, 1949. Granted.

Representative Vrakas asked unanimous consent that the Assembly adjourn in honor of his daughter, Paula Vrakas, who just enlisted in the United States Air Force. Granted.

REFERENCE BUREAU CORRECTIONS

Assembly Amendment 1 to **Assembly Bill 63**

1. Page 3, line 13: delete “online” and substitute “on line”.

Assembly Joint Resolution 8

1. Page 1, line 5: delete “Wisconsin Act” and substitute “Enrolled Joint Resolution”.

VISITORS

During today’s session, the following visitors honored the Assembly by their presence and were welcomed by the presiding officer and the members:

Members of VFW Post 6003 in Oxford, guests of Representative Hines.

Patrick Walsh and Register of Deeds Kay Walsh from St. Croix, guests of Representative Rhoades.

Greta Hafeman from Mequon, guest and intern of Representative Gielow.

Sarah Cramer from Waupaca High School, guest of Representative Hundertmark.

ADJOURNMENT

Representative Huebsch moved that the Assembly stand adjourned until 9:00 A.M. on Thursday, February 17.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

9:10 P.M.